

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:

RUSTICK, LLC,

Debtor,

RUSTICK, LLC,

Movant,

v.

MERRILL LYNCH PORTFOLIO
MANAGEMENT, INC.; MERRILL
LYNCH PIERCE FENNER &
SMITH, INCORPORATED; and
THE BANK OF NEW YORK
MELLON TRUST COMPANY,
N.A., as successor to J.P. Morgan
Trust Company, National
Association, ROSALIE BISHOP,
TAX COLLECTOR; GREAT
AMERICA LEASING CORP.;
CATERPILLAR FINANCIAL
SERVICES CORP.; EVERGREEN
NATIONAL INDEMNITY
COMPANY; and SMETHPORT
AREA SCHOOL DISTRICT,

Respondents.

Case Number 10-10902 TPA

Chapter 11

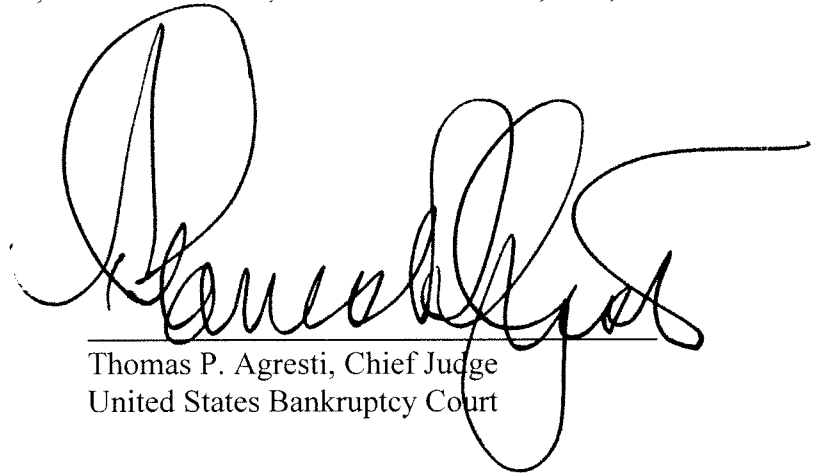
Related to Document Nos. 289

ORDER

AND NOW, this 8th day of *October, 2010*, a hearing on the *Motion of the Debtor for Order Authorizing the Sale of Substantially all of the Debtor's Assets as Part of the Debtor's Plan of Reorganization* ("Motion") was held on October 7, 2010, at which time it was determined that there was one qualified bidder, Casella Waste Systems, which submitted a cash bid of \$500,000, plus additional consideration in the approximate amount of \$3,300,000, for a total purchase price of approximately \$3,800,000.

The Court tentatively finds the bid to be appropriate, and that Casella Waste Systems is the successful bidder, subject to the filing of an Asset Purchase Agreement and final conditions that may be imposed at the hearing on confirmation of the Debtor's Plan of Reorganization. Therefore,

It is hereby **ORDERED, ADJUDGED and DECREED** that the final ruling on the Sale *Motion* is deferred until the hearing on the plan confirmation, scheduled for **October 21, 2010 at 3:00 P.M.** in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.



Thomas P. Agresti, Chief Judge
United States Bankruptcy Court

Case Administrator to serve:
Nicholas Pagliari, Esq.
Peter C. Hughes, Esq.
Jennifer Maleski, Esq.
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Mark Dorvel, Esq.
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